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August 7, 2018

By ECF

Hon. Jesse M. Furman  
United States District Court  
Southern District of New York

Re: United States v. Carlebach  
18 Cr 245 (JMF)

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Your Honor,

As counsel for defendant Pincus David Carlebach, who entered a guilty plea before Your Honor to an Information on March 28, 2018, I write to request an adjournment of the sentencing proceedings that are currently scheduled for August 22, 2018. By my previous application of June 18, 2018, Your Honor graciously granted my request for an adjournment of the previously scheduled date of July 17, 2018.

I have discussed this request with Assistant U.S. Attorney Timothy Capozzi, and I am authorized to inform Your Honor that the Government consents to this adjournment request.

Due to my summer vacation schedule, Mr. Carlebach's incarceration for approximately one month after his guilty plea before Your Honor, Mr. Carlebach's ongoing efforts to resolve personal matters, as well as my professional work load, I have not completed our pre-sentence submissions and therefore I must advise Your Honor that we will not be prepared to proceed on August 22.

We therefore respectfully request an adjournment in order that we can complete our Pre-Sentence submissions.

If Your Honor favorably views this application, we request that in selecting a new date that Your Honor consider that Mr. Carlebach is an Orthodox Jewish observer and that the High Holy days of the Jewish calendar begin with Rosh Hashannah on September 9, and conclude at the end of Sukkot on September 30. We therefore request a sentencing date at the beginning of October, so that

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Mr. Carlebach may observe this high holy period with his elderly parents (his father is 93 and a Holocaust survivor, his mother is 84) and family.

We thank Your Honor for Your consideration of this application, and we thank Assistant U.S. Attorney Capozzi for his understanding as well. I apologize for having to state that we will not be ready to proceed on August 22.

*Respectfully submitted,*

/s/

Richard A. Finkel

Copy:

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by ECF

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